

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MATTHEW BREDDER,

Plaintiff,

-against-

**STIPULATION OF
VOLUNTARY
DISMISSAL WITH
PREJUDICE**

THE CITY OF NEW YORK; NYPD CAPTAIN JULIO
DELGADO; NYPD OFFICER JUSTIN SCHIVEK; and NYPD
MEMBERS JOHN AND JANE DOES 1-6,

22cv04293 (VSB) (SDA)

Defendants.
-----X

WHEREAS, plaintiff commenced this action by filing a complaint on or about May 25, 2022, alleging that defendants violated plaintiff's federal civil rights and state law rights; and

WHEREAS, plaintiff's claims were resolved as part of the settlement in *Sow v. City of New York*, 21-cv-533 (SDNY) (CM)(GWG);

WHEREAS, as provided for in the settlement in *Sow*, and plaintiff now intends to withdraw with prejudice all claims against defendants City of New York, NYPD Captain Julio Delgado, and NYPD Officer Justin Schivek; and

WHEREAS, plaintiff has authorized his counsel to agree to the terms set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. Plaintiff voluntarily dismisses all claims against The City of New York, NYPD Captain Julio Delgado, and NYPD Officer Justin Schivek, with prejudice.

2. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, any and all of the claims that were asserted or could have been asserted by or on behalf of plaintiff Matthew Bredder against defendants the City of New York, NYPD Captain Julio Delgado, and NYPD Officer Justin Schivek, including their successors and assignees, and any present or former employees and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all liability, claims, or rights of action alleging a violation of plaintiff's civil rights and any and all related state law claims, that were or could have been alleged by plaintiff arising out of the facts and circumstances that are the subject of this action are hereby dismissed and discontinued, with prejudice, and without costs or attorney's fees to either party, and pursuant to the terms of the settlement in *Sow*;

3. This Stipulation, along with the Stipulation in *Sow*, contains all the terms and conditions agreed upon by counsel for defendants the City of New York, NYPD Captain Julio Delgado, and NYPD Officer Justin Schivek. and counsels for plaintiff hereto, and no oral agreement entered into at any time, nor any written agreement entered into prior to the execution of this Stipulation shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein; and

4. This Stipulation shall be binding upon the parties immediately upon signature and shall be submitted to the Court for entry as an Order.

Dated: New York, New York
May 13, 2024

COHEN & GREEN P.L.L.C.
Counsel for Plaintiff
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Ridgewood, NY 11385

HON. SYVLIA O. HINDS-RADIX
Corporation Counsel of the
City of New York
*Attorney for Defendants City of New York,
Delgado, and Schivek*
100 Church Street
New York, NY 10007

By: 

Elena L. Cohen, Esq.
Attorney for Plaintiffs

By: /s/

Omar Siddiqi, Esq.
Senior Counsel

SO ORDERED:

HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

Dated: _____, 2024